

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18544. Campaign Contribution and Voluntary Expenditure COLA Formula.

(a) For purposes of Government Code Section 83124, beginning the year 2002 the cost of living adjustment shall be calculated as follows.

(1) The contribution limitations in Government Code Sections 85301, 85302 and 85303 shall be adjusted biennially by the Commission to reflect changes in the California Consumer Price Index (CPI). The adjustments shall be made using the following formula: the contribution limit amount in effect January 1, 2001, multiplied by the annual CPI, divided by the base CPI from 2000, rounded to the nearest one hundred dollars (\$100).¹ The resulting figure shall be the adjusted contribution limitation in effect for all state elections held until the next odd numbered year.

(2) The voluntary expenditure ceilings in Government Code Section 85400 shall be adjusted biennially by the Commission to reflect changes in the California Consumer Price Index. The adjustment shall be made using the following formula: the voluntary expenditure ceiling amount in effect January 1, 2001, multiplied by the annual CPI, divided by the base CPI

¹ For example, the annual average California CPI for All Urban Consumers for 2000 is 174.8. In 2002, the California CPI increased to 187.4. Therefore an adjusted contribution limit beginning in 2003 that was \$3,000 would be calculated as follows:

$$\$3,000 \times 187.4 / 174.8 = \$3,216 \text{ } (\$3,200 \text{ rounded to the nearest } \$100)$$

from 2000, rounded to the nearest one thousand dollars (\$1,000).² The resulting figure shall be the adjusted voluntary expenditure limitation in effect for all state elections held until the next odd numbered year.

(b) For purposes of Government Code Section 85316(b), beginning the year 2006 the cost of living adjustment shall be calculated as follows.

(1) The contribution limitation shall be adjusted biennially by the Commission to reflect changes in the California Consumer Price Index (CPI). The adjustment shall be made using the following formula: the contribution limit amount in effect January 1, 2007, multiplied by the annual CPI, divided by the base CPI from 2006, rounded to the nearest one hundred dollars (\$100). The resulting figure shall be the adjusted contribution limitation in effect for all state officeholders until the next odd numbered year.

(c) The adjustments shall be based upon the September forecast of U.S. Bureau of Labor Statistics California Consumer Price Index for All Urban Consumers for the calendar year immediately preceding the year in which the adjustment is to take effect.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 83124, 85301, 85302, 85303, 85316 and 85400, Government Code.

HISTORY

1. New section filed 10-4-2002; operative 10-4-2002. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924,

² For example, the annual average California CPI for All Urban Consumers for 2000 is 174.8. In 2002, the California CPI increased to 187.4. Therefore an adjusted expenditure ceiling beginning in 2003 that was \$400,000 would be calculated as follows:

$$\$400,000 \times 187.4 / 174.8 = \$428,833 \text{ (\$429,000 rounded to the nearest \$1,000)}$$

California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992

(FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2002, No. 40).

2. New subsections (b)-(b)(1) and subsection relettering filed 1-19-2007 as an emergency; operative 1-19-2007. A Certificate of Compliance must be transmitted by OAL by 5-21-2007 or emergency language will be repealed by operation of law on the following day. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2007, No. 3).

3. Reinstatement of section as it existed prior to 1-19-2007 emergency amendment by operation of Government Code section 11346.1(f) (Register 2007, No. 26).

4. Amendment of section and Note filed 7-3-2007; operative 8-2-2007. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2007, No. 27).